

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 858

Introduced by Crosby, 29

Read first time January 20, 1999

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to elections; to amend sections 32-815 and
2 32-1033, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to write-in votes; to harmonize
4 provisions; and to repeal the original sections.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 32-815, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 32-815. (1) The names of candidates for each partisan
4 elective office shall be arranged on the ballot of the general
5 election so that the political party polling the highest number of
6 votes at the last general election for Governor will have the name
7 of its nominee immediately beneath the name of the office for which
8 the candidate was nominated, the political party polling the second
9 highest number of votes will have the second place, the political
10 party having the third highest number of votes will have the third
11 place, and continuing with the political parties in descending
12 order of number of votes, leaving those candidates whose names
13 appear upon the ballot by petition to appear beneath all other
14 candidates placed there by nomination. For each office for which
15 there are more candidates than vacancies and there are two or more
16 nominees of the same political party, the election commissioner or
17 county clerk shall rotate the names of such candidates on the
18 official ballot. In printing the ballots for the various election
19 districts, the positions of the names shall be changed in each
20 office division for each election district. In making the change
21 of position, the printer shall take the line of type at the head of
22 each division and place it at the bottom of that division, shoving
23 up the column so that the name that was second shall be first after
24 the change.

25 (2) The name of the person receiving the highest number
26 of votes at a primary election as the candidate of a political
27 party for an office shall be placed on the official ballot except
28 as otherwise provided in the Election Act. No person shall be

1 certified as a candidate of any political party for such office by
 2 the Secretary of State, election commissioner, or county clerk
 3 unless the person receives a number of votes at least equal to five
 4 percent of the total vote cast ~~for such office~~ at the primary
 5 election ~~for~~ by registered voters affiliated with that political
 6 party in the district which the office serves and meets the
 7 requirements for the office.

8 Sec. 2. Section 32-1033, Reissue Revised Statutes of
 9 Nebraska, is amended to read:

10 32-1033. The election commissioner or county clerk
 11 shall, within forty days after the election, prepare, sign, and
 12 deliver a certificate of nomination or a certificate of election to
 13 each person whom the county canvassing board has declared to have
 14 received the highest vote for county, city, or village offices. No
 15 person shall be issued a certificate of nomination as a candidate
 16 of a political party unless such person has received a number of
 17 votes at least equal to five percent of the total vote cast ~~for the~~
 18 ~~office~~ at the primary election ~~for that party~~ by registered voters
 19 affiliated with that political party in the district which the
 20 office for which he or she is a candidate serves. The certificate
 21 shall be substantially as follows:

22 State of Nebraska. At an election held on the
 23 day of ~~19..~~ 20.., was elected to the office of
 24 for the term of years from the
 25 day of ~~19..~~ 20.. (or when filling a vacancy,
 26 for the residue of the term ending on the day of
 27 ~~19..~~ 20..). Given at this day of ~~19..~~
 28 20.. .

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1 Sec. 3. Original sections 32-815 and 32-1033, Reissue
2 Revised Statutes of Nebraska, are repealed.